

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Westacres Community Assn v Jeffrey C Snyder**
Docket No. **260114**
L.C. No. **2003-048641-CE**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction since the attorney fees stem from appellant's failure to follow the provisions of the March 2, 2004 consent judgment rather than an award as sanctions for a party's prejudgment litigation activities under MCR 2.403, 2.405, 2.625, or other law. MCR 7.202(6)(iv) and 7.203(A)(1). Instead, appellant may only challenge the award of attorney fees via an application for leave to appeal under MCR 7.205. See MCR 7.203(B)(1).

The motion to consolidate is DENIED as the above determination has rendered it moot.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB - 3 2005
Date

Sandra Schultz Mengel
Chief Clerk